IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 29TH NOVEMBER 2006 / 8TH AGRAHAYANA 1928

WP(C).No. 31620 of 2006(L)

PETITIONER:

SIRAJ, S/O.SULAIMAN, AGED 36 YEARS,
ALANGAPARAMBIL, NEERKODU DESOM,
ALANGADU VILLAGE, PARAVOOR TALUK, ERNAKULAM
DISTRICT (OWNER OF MINI LORRY BEARING
REGISTRATION NO.KL-7-J-5310).

BY ADV. SRI.P.M.ZIRAJ

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
ERNAKULAM DISTRICT.

2. THE SUB INSPECTOR OF POLICE,
CHENGAMANADU POLICE STATION, ERNAKULAM.

BY G.P. SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

W.P.C.NO. 31620 OF 2006

Dated this the 29th day of November, 2006

JUDGMENT

Petitioner's case is that vehicle loaded with sand was seized without issuing mahazar by the second respondent. Even though petitioner claims that the seized lorry is a mini lorry, even RC book is not produced for verification. In any case, following similar orders, W.P. is disposed of directing the second respondent to release the vehicle on petitioner remitting Rs. 20,000/- if it is a full truck or Rs. 15,000/- if it is a mini lorry and in either case along with a sum of Rs. 1,000/- towards value of sand. If payment is made before the District Collector and receipt produced second respondent will release the vehicle with the load of sand with an endorsement in the RC book that the release is subject to adjudication proceedings by the District Collector. File will be forwarded to the District Collector for adjudication and payments made will be adjusted towards fine, if any, levied or otherwise amount paid will be refunded.

W.P. is disposed of as above.

(C.N.RAMACHANDRAN NAIR)
Judge